

**9-212A. Bench warrant.**

*[For use with Metropolitan Court Rule 7-207 NMRA]*

STATE OF NEW MEXICO

[COUNTY OF \_\_\_\_\_]

[CITY OF \_\_\_\_\_]

\_\_\_\_\_ COURT

[STATE OF NEW MEXICO]

[CITY OF \_\_\_\_\_]

v.

No. \_\_\_\_\_

\_\_\_\_\_, Defendant

DOB: \_\_\_\_\_

Address: \_\_\_\_\_

S.S.# \_\_\_\_\_

**BENCH WARRANT**

THE (STATE OF NEW MEXICO) (MUNICIPALITY OF \_\_\_\_\_)

TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

YOU ARE HEREBY COMMANDED to arrest the above-named defendant and bring the defendant before this court to answer the following charges checked below unless released as indicated in the return:

*(check applicable box and describe facts below)*

[ ] failure to appear as ordered by this court on \_\_\_\_\_;

- [ ] failure to appear as required by a subpoena issued by this court for \_\_\_\_\_  
\_\_\_\_\_;
- [ ] failure to appear in accordance with the conditions of release imposed by this court for  
\_\_\_\_\_;
- [ ] conditions of release previously imposed should be revoked or reviewed;
- [ ] contempt of court for \_\_\_\_\_  
\_\_\_\_\_;
- [ ] failure to pay fines or costs previously imposed by order entered \_\_\_\_\_  
\_\_\_\_\_ (date);
- [ ] failure to comply with conditions of probation as set forth in an order entered  
\_\_\_\_\_ (date);
- [ ] failure to appear at first offender program on \_\_\_\_\_;
- [ ] other \_\_\_\_\_  
\_\_\_\_\_.

*(set forth any additional essential facts underlying issuance of this warrant)*

*(check and complete, if applicable)*

- [ ] The defendant failed to appear either on a traffic citation other than a citation issued for a violation listed in Section 66-8-122 or 66-8-125 NMSA 1978 or a citation issued by an official authorized by law and may be released on a plea of guilty and payment of

\$\_\_\_\_\_ plus a \$100 bench warrant fee<sup>1</sup>;

OR

- ☐ The defendant failed to pay fines and costs and defendant may be released upon payment of the outstanding fine and court costs in the amount of \$\_\_\_\_\_ plus a \$100 bench warrant fee<sup>1</sup>;

OR

- ☐ The defendant may be released on bond in the amount of \$\_\_\_\_\_. The bench warrant fee will be collected upon appearance.

**THIS WARRANT MAY BE EXECUTED:**

- ☐ in any jurisdiction;
- ☐ anywhere in this state;
- ☐ anywhere in this county;
- ☐ anywhere in this city.

The clerk of this court shall cause this warrant to be entered into a law enforcement information system<sup>2</sup>:

- ☐ maintained by the state police.

- ☐ \_\_\_\_\_ (*identify other law enforcement information system*).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

## **RETURN**

The defendant was arrested and taken into custody on the \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

- [ ] The defendant was released on bond in the amount set forth above.
- [ ] The defendant was released upon receipt of the fine and court costs set forth above.

I have caused this warrant to be removed from the law enforcement information system  
identified in this warrant.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

## **USE NOTES**

1. A \$100 bench warrant fee is assessed in the metropolitan court pursuant to Section 34-8A-12 NMSA 1978.
2. All metropolitan court felony misdemeanor and driving while under the influence of intoxicating liquor or drugs warrants must be entered into a law enforcement information system.

[Effective, January 1, 1993; as amended, effective January 1, 1995; January 1, 1996; July 1, 1999; as amended by Supreme Court Order No. 07-8300-34, effective January 22, 2008.]